

THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.8915 of 2006

DATED: 27-04-2006

BETWEEN

B. Kumari and others.

...PETITIONERS

AND

The Guntur Municipal Corporation, rep. By its commissioner, Guntur and others.

...RESPONDENTS.

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THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.8915 of 2006

ORDER:

This petition is filed seeking a writ of mandamus to declare the action of the respondents in not removing the encroachments on the road from plot Nos. 5 to 11 of Banjara Naik Colony, Shymala Nagar, 32 Division, Guntur Municipality, Guntur, as illegal and arbitrary.

The case of the petitioners is that they are the residents of Banjara Naik Colony, Shyamalagar, 32nd division, Guntur and that in between their plots, roads were made. It is stated that one Tau Naik and Sambaiah Naik occupied the road from plot Nos. 5 to 11 and constructed a house in the middle of the

road and consequently, the road is stopped in the middle and they are trying to occupy some extent of the road. It is further stated that they made representations before respondents 1 and 2 on 18-03-2005 and respondents 3 and 4 on 20-03-2006, but the same have not been considered so far.

On a perusal of the material available on record, I do not find any such representations as stated above and therefore, I am of the opinion that it is just and proper for the petitioners to make a representation before the first respondent-Municipal Commissioner, Guntur, within two weeks from the date of receipt of a copy of this order and if any such representation is filed, the first respondent may enquire into the said encroachments and take appropriate action by passing a reasoned order in accordance with law.

With the above observation, the Writ Petition is disposed of. No order as to costs.

V. ESWARAIAH, J

Dated:27-04-2006

sj